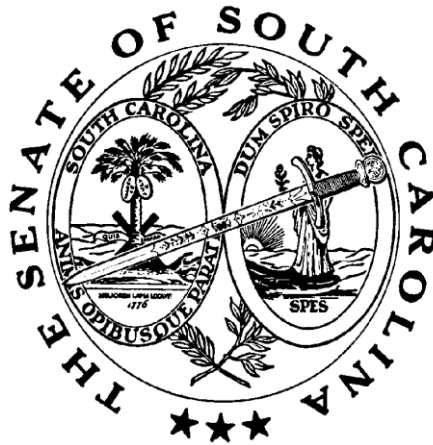


NO. 39

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2020

THURSDAY, MARCH 19, 2020

Thursday, March 19, 2020
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1182 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE THE SOUTH CAROLINA STATE GUARD UPON THE OCCASION OF ITS THREE HUNDRED FIFTIETH ANNIVERSARY AND TO HONOR THE MANY SACRIFICES AND VALUABLE CONTRIBUTIONS OF THE STATE GUARD TO PROTECTING THE FREEDOM, DEMOCRACY, AND SECURITY OF THIS GREAT STATE.

l:\s-res\rcw\010stat.sp.rcw.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1183 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE NEW HOPE UNITED METHODIST CHURCH UPON THE OCCASION OF ITS TWO HUNDRED TWENTY-FIFTH ANNIVERSARY, TO RECOGNIZE AND HONOR THE CHURCH FOR ITS DEEP HERITAGE IN THE POMARIA COMMUNITY, AND TO COMMEND ITS LEADERSHIP AND CONGREGATION FOR THEIR MANY YEARS OF SERVICE TO THIS COMMUNITY.

l:\s-res\rcw\009new .sp.rcw.docx

The Senate Resolution was adopted.

S. 1184 -- Senator Shealy: A BILL TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO THE MASSAGE/BODYWORK PRACTICE ACT, TO RENAME THE CHAPTER THE MASSAGE THERAPY PRACTICE ACT, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY, TO PROVIDE THAT THE PROVISIONS OF

THURSDAY, MARCH 19, 2020

THE MASSAGE THERAPY PRACTICE ACT CONTROL IF THERE IS A CONFLICT, TO CLARIFY THE COMPOSITION AND DUTIES OF THE BOARD OF MASSAGE THERAPY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PUBLISH A ROSTER OF LICENSED MASSAGE THERAPISTS AND ESTABLISHMENTS, TO PROVIDE FOR LICENSURE FEES, TO REMOVE THE REQUIREMENT FOR AN ANNUAL REPORT ON THE ADMINISTRATION OF THE MASSAGE THERAPY PRACTICE ACT BY THE DEPARTMENT, TO PROVIDE FOR EXEMPTIONS TO THE MASSAGE THERAPY PRACTICE ACT, TO PROVIDE CERTAIN REQUIREMENTS FOR THE TEMPORARY PRACTICE OF MASSAGE THERAPY, TO PROVIDE THAT NO PERSON MAY PRACTICE OR OFFER TO PRACTICE MASSAGE THERAPY WITHOUT A LICENSE, TO PROVIDE THAT NO PERSON OR ENTITY MAY OPEN, OPERATE, MAINTAIN, USE, OR ADVERTISE AS A MASSAGE THERAPY ESTABLISHMENT OR A SOLE PRACTITIONER ESTABLISHMENT WITHOUT OBTAINING A LICENSE, TO PROVIDE PENALTIES, TO CLARIFY LICENSURE REQUIREMENTS FOR A MASSAGE THERAPIST LICENSE, TO PROVIDE LICENSURE REQUIREMENTS FOR A MASSAGE THERAPY ESTABLISHMENT AND SOLE PRACTITIONER ESTABLISHMENT, TO PROVIDE THAT THE BOARD MAY GRANT A LICENSE BY ENDORSEMENT TO A MASSAGE THERAPIST WHO HOLDS AN ACTIVE MASSAGE THERAPIST LICENSE AND IS IN GOOD STANDING IN ANOTHER STATE, THE DISTRICT OF COLUMBIA, OR ANY OTHER UNITED STATES TERRITORY, TO CLARIFY REQUIREMENTS RELATED TO APPLYING FOR AND OBTAINING A LICENSE, TO PROVIDE THAT THE DEPARTMENT MAY MAKE PERIODIC INSPECTIONS OF ALL MASSAGE THERAPY ESTABLISHMENTS AND ALL SOLE PRACTITIONER ESTABLISHMENTS DURING BUSINESS HOURS WITHOUT PRIOR NOTICE, TO PROVIDE PENALTIES FOR FAILING TO COOPERATE WITH THE DEPARTMENT DURING AN INSPECTION, TO PROVIDE THAT CERTAIN REQUIREMENTS RELATING TO LICENSES SHALL BE COMPLETED BIENNIALY, TO PROVIDE THAT RENEWAL OF LICENSES SHALL BE COMPLETED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT CONTINUING EDUCATION REPORTS ARE SUBJECT TO AUDITS, TO CLARIFY CERTAIN REQUIREMENTS RELATED TO LAPSED LICENSES,

THURSDAY, MARCH 19, 2020

TO PROVIDE THAT A LICENSEE MAY PROVIDE A WRITTEN REQUEST TO THE BOARD TO PLACE A LICENSE IN INACTIVE STATUS, TO PROVIDE THAT A LICENSEE MUST BIENNIALY RENEW HIS LICENSE TO REMAIN IN INACTIVE STATUS, TO PROVIDE THAT A LICENSE MAY BE REACTIVATED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT INACTIVE STATUS DOES NOT STAY ANY DISCIPLINARY ACTIONS FOR VIOLATIONS THAT OCCURRED DURING THE COURSE OF AN ACTIVE LICENSE, TO CLARIFY REGULATIONS THAT SHALL BE PROMULGATED BY THE BOARD, TO PROVIDE THAT THE DEPARTMENT SHALL INVESTIGATE COMPLAINTS AND VIOLATIONS, TO PROVIDE THAT THE PRESIDING OFFICER OF THE BOARD MAY ADMINISTER OATHS, TO PROVIDE THAT A PERSON AGGRIEVED BY A FINAL ACTION OF THE BOARD MAY SEEK AN APPEAL OF THE DECISION, TO PROVIDE THAT SERVICE OF A NOTICE OF AN APPEAL DOES NOT STAY THE BOARD'S OR THE DEPARTMENT'S DECISION PENDING COMPLETION OF THE APPELLATE PROCESS, TO CLARIFY GROUNDS FOR DENYING A LICENSE, TO CLARIFY THE INVESTIGATION PROCESS AND CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE THAT AN INDIVIDUAL OR ESTABLISHMENT THAT VOLUNTARILY SURRENDERS A LICENSE MAY NOT PRACTICE AS A MASSAGE THERAPIST OR OPERATE AS A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT UNTIL THE BOARD REINSTATES THE LICENSE, TO PROVIDE THAT SERVICE OF NOTICE MAY BE MADE BY LEAVING A COPY OF THE NOTICE WITH THE DIRECTOR OF THE DEPARTMENT OR HIS DESIGNEE IF AN INDIVIDUAL CANNOT BE FOUND AT HIS USUAL ABODE OR PLACE OF BUSINESS, TO PROVIDE THAT COSTS AND FINES IMPOSED ARE DUE AND PAYABLE AS REQUIRED BY THE BOARD, TO PROVIDE THAT A LICENSEE FOUND IN VIOLATION OF THE MASSAGE THERAPY PRACTICE ACT OR RELATED REGULATIONS MAY BE REQUIRED TO PAY COSTS ASSOCIATED WITH THE INVESTIGATION OF HIS CASE, TO MAKE CONFORMING CHANGES, AND TO DEFINE NECESSARY TERMS.

l:\s-res\ks\067mass.kd.ks.docx

Read the first time and referred to the Committee on Medical Affairs.

THURSDAY, MARCH 19, 2020

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on March 19, 2020, at 2:27 P.M. and the following Acts were ratified:

(R119, S. 16) -- Senators Rankin and Cash: AN ACT TO AMEND SECTION 40-43-86, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EMERGENCY REFILLS OF PRESCRIPTIONS BY PHARMACISTS, SO AS TO INCREASE THE AMOUNT OF A PRESCRIPTION THAT MAY BE REFILLED WHEN AUTHORIZATION FROM THE PRESCRIBER IS NOT OBTAINABLE FROM A TEN-DAY SUPPLY TO A FOURTEEN-DAY SUPPLY, TO PROVIDE RELATED LABELING REQUIREMENTS, AND TO PROVIDE EXCEPTIONS TO ACCOMMODATE CERTAIN PACKAGING CONSTRAINTS.
L:\COUNCIL\ACTS\16WAB20.DOCX

(R120, S. 474) -- Senator Campsen: AN ACT TO AMEND SECTION 50-5-1705, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, SO AS TO PROVIDE A CATCH LIMIT FOR SPADEFISH; AND TO AMEND SECTION 50-5-1710, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, SO AS TO PROVIDE A MINIMUM SIZE LIMIT FOR SPADEFISH.
L:\COUNCIL\ACTS\474CZ20.DOCX

(R121, S. 475) -- Senator Campsen: AN ACT TO AMEND SECTION 50-5-1705, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, SO AS TO PROVIDE A CATCH LIMIT FOR TRIPLETAIL; AND TO AMEND SECTION 50-5-1710, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, SO AS TO PROVIDE A MINIMUM SIZE LIMIT FOR TRIPLETAIL.
L:\COUNCIL\ACTS\475CZ20.DOCX

(R122, S. 525) -- Senators Grooms, Reese, Massey, J. Matthews, Gambrell, Goldfinch, Setzler, Gregory, Harpootlian, Sheheen, Alexander, Verdin, Talley, Campsen, Campbell, Hutto, Young, Turner, Cromer, Corbin, Davis, Climer, Johnson, Kimpson, McElveen, McLeod,

THURSDAY, MARCH 19, 2020

Sabb, Williams, Leatherman, Malloy, Fanning, Hembree and Rankin:
AN ACT TO AMEND SECTION 44-2-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISPOSITION OF ACCRUED INTEREST IN THE SUPERB ACCOUNT AND THE SUPERB FINANCIAL RESPONSIBILITY FUND, SO AS TO REPEAL THE ABOLITION OF THE ENVIRONMENTAL IMPACT FEE.

L:\COUNCIL\ACTS\525CZ20.DOCX

(R123, S. 580) -- Senator Gambrell: AN ACT TO AMEND CHAPTER 29 OF TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THE PURPOSE OF THE CHAPTER, TO ALTER THE APPLICATION OF THE CHAPTER, TO ESTABLISH CERTAIN POWERS AND DUTIES FOR THE ASSOCIATION IN RELATION TO IMPAIRED OR INSOLVENT MEMBER INSURERS, TO PROVIDE THAT THE BOARD OF DIRECTORS OF THE ASSOCIATION MAY CALL AN ASSESSMENT OF THE MEMBERS AND TO PROVIDE CLASSES FOR THE ASSESSMENTS, TO REQUIRE THE ASSOCIATION TO ESTABLISH A PLAN OF OPERATION AND REQUIRE THE PLAN TO CREATE PROCEDURES FOR REMOVING A MEMBER OF THE BOARD UNDER CERTAIN CIRCUMSTANCES AND TO ADDRESS CONFLICTS OF INTEREST, TO PROSCRIBE CERTAIN DUTIES FOR THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO AID IN THE DETECTION AND PREVENTION OF INSURER IMPAIRMENTS AND INSOLVENCIES, TO PROVIDE THAT NO PERSON MAY USE THE EXISTENCE OF THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION FOR THE PURPOSE OF INSURANCE SALES, AND TO REQUIRE THE ASSOCIATION TO PREPARE A DOCUMENT DESCRIBING THE GENERAL PURPOSES AND LIMITATIONS OF THIS CHAPTER.

L:\COUNCIL\ACTS\580CZ20.DOCX

(R124, S. 919) -- Senator M.B. Matthews: AN ACT TO AMEND SECTION 7-7-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO ADD THE NEW RIVER,

THURSDAY, MARCH 19, 2020

PALMETTO BLUFF, AND SANDY POINTE VOTING PRECINCTS, TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO CORRECT AN OUTDATED REFERENCE TO THE FORMER OFFICE OF RESEARCH AND STATISTICS.

L:\COUNCIL\ACTS\919ZW20.DOCX

(R125, S. 920) -- Senator M.B. Matthews: AN ACT TO AMEND SECTION 7-7-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN JASPER COUNTY, SO AS TO ADD TWO PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

L:\COUNCIL\ACTS\920ZW20.DOCX

(R126, S. 1003) -- Senator Verdin: AN ACT TO AMEND SECTION 7-7-360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO ELIMINATE THE BREWERTON AND PRINCETON VOTING PRECINCTS, TO ESTABLISH THE BREWERTON-PRINCETON VOTING PRECINCT, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES AND BOUNDARIES OF THE LAURENS COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

L:\COUNCIL\ACTS\1003ZW20.DOCX

(R127, H. 3357) -- Reps. Wooten, Collins, Brawley, Huggins, Taylor, Hixon and Gilliard: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-115 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER MAY BE DEAF OR HARD OF HEARING.

L:\COUNCIL\ACTS\3357CM20.DOCX

THURSDAY, MARCH 19, 2020

(R128, H. 3695) -- Reps. Calhoon, Huggins, Taylor, Allison, Ballentine, Forrest, Matthews, Spires, Toole, Wooten, Hill and Jones: AN ACT TO AMEND SECTION 12-37-2680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ASSESSED VALUE OF A VEHICLE, SO AS TO REQUIRE THAT THE VALUE GUIDES INCLUDE ADJUSTMENTS FOR HIGH MILEAGE AND TO PROVIDE THAT IF HIGH MILEAGE DATA IS NOT AVAILABLE FOR MOTORCYCLES AND MOTORCYCLE THREE-WHEEL VEHICLES, THE ADJUSTMENT FOR SUCH MOTORCYCLES SHALL EQUAL TWO-THIRDS OF THE ADJUSTMENT FOR OTHER MOTOR VEHICLES.

L:\COUNCIL\ACTS\3695DG20.DOCX

(R129, H. 4014) -- Reps. Hixon, Tallon, Johnson and R. Williams: AN ACT TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2019-2020 TO THE EXECUTIVE BUDGET OFFICE FOR THE BENEFIT OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR THE STATE'S PUBLIC HEALTH RESPONSE TO THE COVID-19 VIRUS AND TO PROVIDE FOR OTHER MATTERS.

L:\COUNCIL\ACTS\4014DG20.DOCX

(R130, H. 4246) -- Reps. Sandifer and Thayer: AN ACT TO AMEND ACT 60 OF 2017, RELATING TO CRIMINAL BACKGROUND CHECKS BY THE REAL ESTATE COMMISSION, SO AS TO CHANGE THE TIME EFFECTIVE DATE TO JULY 1, 2020, AND TO LIMIT APPLICABILITY OF THIS REVISED TIME EFFECTIVE DATE WITH RESPECT TO LICENSE RENEWALS.

L:\COUNCIL\ACTS\4246WAB20.DOCX

(R131, H. 4439) -- Reps. Clemmons, Bryant, Hosey, R. Williams, Blackwell, Clary and Rivers: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-250 SO AS TO DESIGNATE THE SIXTEENTH DAY OF JULY OF EACH YEAR AS "ATOMIC VETERANS DAY" IN SOUTH CAROLINA.

L:\COUNCIL\ACTS\4439ZW20.DOCX

(R132, H. 4702) -- Reps. Huggins, Martin, Wooten, Caskey, Calhoon, Forrest, Howard and Brawley: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION

THURSDAY, MARCH 19, 2020

55-11-440 SO AS TO PROVIDE THE RICHLAND-LEXINGTON AIRPORT COMMISSION MAY MAKE APPLICATION FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING FOREIGN-TRADE ZONES IN CERTAIN COUNTIES, SELECT AND DESCRIBE THE LOCATION OF THE ZONES FOR WHICH APPLICATION MAY BE MADE, PROMULGATE CERTAIN REGULATIONS, OWN, ERECT, MAINTAIN, AND OPERATE BUILDINGS IN A FOREIGN-TRADE ZONE, AND DO ALL THINGS NECESSARY AND PROPER TO ACHIEVE COMPLIANCE WITH THE FOREIGN-TRADE ZONES ACT.

L:\COUNCIL\ACTS\4702CM20.DOCX

(R133, H. 4743) -- Reps. Fry and Hewitt: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-3-312 SO AS TO ALTER THE COUNTY LINES OF HORRY AND GEORGETOWN COUNTIES BY ANNEXING A CERTAIN PORTION OF GEORGETOWN TO HORRY COUNTY AND TO MAKE PROVISIONS FOR LEGAL RECORDS.

L:\COUNCIL\ACTS\4743ZW20.DOCX

(R134, H. 4811) -- Reps. Bailey, Hewitt, Hardee, Clemmons, Forrest, Hixon and Ligon: AN ACT TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT OF SHORELINE PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES.

L:\COUNCIL\ACTS\4811CZ20.DOCX

(R135, H. 4944) -- Reps. Tallon, Allison, Chumley, Forrester, Henderson-Myers, Hyde, Long and Magnuson: AN ACT TO AMEND SECTION 7-7-490, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO ADD TWO PRECINCTS, TO ELIMINATE TWO PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

L:\COUNCIL\ACTS\4944ZW20.DOCX

THURSDAY, MARCH 19, 2020

ADJOURNMENT

At 2:28 P.M., on motion of the PRESIDENT, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

THURSDAY, MARCH 19, 2020
SENATE JOURNAL INDEX

S. 16.....	4		
S. 474.....	4	H. 3357	6
S. 475.....	4	H. 3695	7
S. 525.....	4	H. 4014	7
S. 580.....	5	H. 4246	7
S. 919.....	5	H. 4439	7
S. 920.....	6	H. 4702	7
S. 1003.....	6	H. 4743	8
S. 1182.....	1	H. 4811	8
S. 1183.....	1	H. 4944	8
S. 1184.....	1		